



## CUSTOMS BROKER EXAMINATION Guidelines for Writing New Questions

### 1. Primary topics of broker examination questions

- Anti-dumping/countervailing duties
- Bonds
- Broker Compliance
- Classification
- Drawback
- Entry/Entry Summary requirements, including practical exercises
- Fines, Penalties, and Forfeitures
- Intellectual Property Rights
- Marking
- Powers of Attorney
- Recordkeeping
- Trade Agreements
- Valuation
- Warehouse (including Foreign Trade Zones)

Examples of previously used questions are found at:

<http://www.cbp.gov/document/publications/past-customs-broker-license-examinations-answer-keys>

The reference materials that can be used as a source for exam questions are noted below. Please limit your questions to those relying on these reference materials, as we **cannot** accept questions based on rulings, policy documents, or other materials not listed here.

- [Harmonized Tariff Schedule of the United States](#) (2018 HTSUS may be used for this examination. All classification, free trade agreement, and other questions will be consistent across both tariff schedules.)
- [Title 19, Code of Federal Regulations](#) (2017 CFR revised as of April 1, 2017 may be used for this examination, Parts 0 to 199.)
- Instructions for Preparation of [CBP Form 7501](#) (July 24, 2012)
- Right to Make Entry Directive [3530-002A](#)
- ACE Business Rules and Process Document (Trade-External) Version 8.0c dtd: January 2018



Classification questions must use the 2018 HTS. In addition, classification questions 1) should be based on the text of headings and not require a *ejusdem generis* analysis as that is subjective and often the subject of litigation; 2) should not include issues currently in litigation; and 3) should not rely on Explanatory Note limitations of headings.

## 2. Components of a good examination question:

A good examination question must be both **FAIR** and **VALID**.

**FAIR** questions test knowledge that a broker must reasonably know to conduct Customs business. Fairness includes:

- Topic selection (it **MUST** be developed and answerable from a designated exam source)
- Clarity
- Consideration of the time needed to read and research a question and to do any calculations (questions should be answered in an average of 3 minutes)

**UNFAIR** questions include those that are:

- Based on undesignated sources, such as a statute or reference sources not specified on the official exam notice
- Ambiguous (double negatives, etc.)
- Lacking in essential facts
- Too lengthy or time-consuming

**VALID** questions reflect ‘real-world’ situations that a broker may likely encounter and should include areas that CBP deems problematic.

## 3. What about style and formatting?

- Questions should consist of simple, straightforward language.
- Questions should include all relevant facts
- Put the actual question in the first sentence—ahead of the scenario— whenever possible. (For example, “What is the amount of per unit assists for goods entered in the U.S. in the following scenario?”)
- Do not use the actual names of companies and/or individuals.

## 4. What format do I use?

- You must use the formats presented on the following pages.
- The exam questions must be provided in Times New Roman and 12 font as seen below.



- **Any questions given in any other format will be returned for proper editing.**
- Each question must have five (5) possible answers, where only one can be considered the best answer.
- No True or False questions will be used on the exam.
- “None of the Above” and “All of the Above” answers should be avoided.
- Supporting citations **MUST** be given for each correct AND incorrect answer.
- Supporting citations **MUST** come from the designated documents specified for the exam, as listed above.
- SMEs should present a question and answers on a single page together.
- SMEs should number their questions sequentially and uniquely.

A\_\_\_\_\_ must be presented to CBP timely to request an extension to a Temporary Importation under Bond (TIB) entry.

- A. CBP Form 7501
- B. CBP Form 3461
- C. CBP Form 6043
- D. CBP Form 3173
- E. CBP Form 3495

**The correct answer is D.** The timely submission of a request to extend the time limit of a TIB entry shall be made on a CBP Form 3173 prior to expiration.

**Answer A** is incorrect because:  
CBP Form 7501 is an entry summary form.

**Answer B** is incorrect because:  
CBP Form 3461 is for cargo release and summary.

**Answer C** is incorrect because:  
CBP Form 6043 is a delivery ticket.

**Answer E** is incorrect because:  
CBP Form 3495 is a manipulation request.

**SUPPORTING CITATION(S):** **19 CFR 10.37**

**Submitted by:** Jane Doe

What is the **CLASSIFICATION** for dried potato flakes composed of dried potato flakes, sodium acid pyrophosphate (a preservative), sodium bisulfite (a preservative), monoglycerides (an anti-sticking agent), citric acid (an antioxidant), and butylated hydroxyanisole?

- A. 0701.90.5040
- B. 0712.90.3000
- C. 1105.20.0000
- D. 1108.13.0010
- E. 2005.20.0070

**The correct answer is E.** HTS 2005.20.0070 provides for potatoes prepared or preserved otherwise than by vinegar or acetic acid. The product has been preserved using multiple chemicals.

**Answer A** is incorrect because:  
Heading 0701 includes only fresh or chilled potatoes.

**Answer B** is incorrect because:  
Note 3(c) to Chapter 7 states that heading 0712 does not cover “Flour, meal, powder, flakes, granules, and pellets of potatoes (heading 1105).”

**Answer C** is incorrect because:  
Note 1(d) to Chapter 11 states that the chapter does not cover “Vegetables, prepared or preserved, of heading 2001, 2004, or 2005.”

**Answer D** is incorrect because:  
While starches may be derived from potatoes, the product at hand has not been chemically broken down to that level.

**SUPPORTING CITATIONS:**      **HTS 2005.20.0070**  
   **HTS Note 3(c) to Chapter 7**  
   **HTS Note 1(d) to Chapter 11**

**Submitted by:**                      Jane Doe